

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

LARRY CUNNINGHAM KIMBLE,
Petitioner,

v.

PEOPLE OF THE STATE OF
CALIFORNIA,
Respondent.

Case No. 17-cv-2581-NJV (PR)

ORDER OF TRANSFER


Docket Nos. 2, 6

This is a habeas corpus petition filed pro se by a state prisoner. Petitioner challenges a conviction obtained in the San Joaquin County Superior Court. San Joaquin County is in the venue of the United States District Court for the Eastern District of California. Petitioner is also incarcerated in the Eastern District of California.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Because petitions challenging a conviction are preferably heard in the district of conviction, Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968), and petitioner was convicted and is incarcerated in the Eastern District, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b). All pending motions are vacated and will be addressed in the Eastern District.

IT IS SO ORDERED.

Dated: June 12, 2017


NANDOR J. VADAS
United States Magistrate Judge